

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: Electrostatic film coated ophthalmic lens and method for edging same
Appl. No.: 10/573,692
Applicants: Lacan *et al.*
Filed: March 27, 2006
Art Unit: 1794
Examiner: Robinson, Elizabeth A.
Docket No.: ESSR:111US
Customer No.: 32425
Confirmation No. 7189

CERTIFICATE OF MAILING	
37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. postal service with sufficient postage as First class Mail in an envelope addressed to: commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
21 May 2010	<i>Michael R. Krawzsenek</i>
Date	Michael R. Krawzsenek

DECLARATION OF DOMINIQUE CONTE UNDER 37 C.F.R. §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-01 450

I, **Dominique Conte** declare that:

I am an French citizen residing at 99, Clefmonts street (rue des Clefmonts), 52100 Saint-Dizier, France. I am currently employed as R&D technician of the R&D Physical-Chemistry department of ESSILOR INTERNATIONAL (COMPAGNIE GENERALE D'OPTIQUE), where I have been employed since 1981.

My background is in chemistry and polymer material science. I have been awarded a technician diploma in electronics in 1980 from the Loritz University, Nancy, France.

I have expertise in the preparation of ophthalmic lenses, surfacing, edging, and in particular anti-reflection coatings, thin films and polymer compositions. I am named as an inventor in several issued patents in these fields.

I am familiar with United States patent application No. 10/573,692 filed on March 27, 2006, being one of the named inventors. I have reviewed the pending claims 19-44 for this application, the Non-Final Office Action dated December 23, 2009, and the references cited therein. I am also one of the named inventors in reference Conte et al. (WO 03/057641).

I understand that the Examiner in charge of assessing the patentability of the above-referenced application has rejected pending claims 19-22, 25-32 and 38-43 under 35 U.S.C. § 103(a) as being unpatentable over reference Conte et al. (WO 03/057641) in view of reference Lipman (US 5,719,705).

My declaration aims at showing that the rejected claims comply with the requirements of 35 U.S.C. § 103(a) because the combination of prior art references made by the examiner to support the aforementioned obviousness rejection is improper.

I confirm that there is no reason to protect the surface of a lens coated with a temporary protective coating as described in Conte et al. during an edging process, because said temporary protective coating sufficiently protects the lens from projections of debris thrown off from the edging machine during edging.

Since the lens is already protected by the temporary protective coating, there is no need to further protect said lens by deposition of a second protective coating onto the first one. This would be completely unnecessary.

Thus, I confirm that practically, ophthalmic lenses at Essilor are always submitted to the edging operation with no other protective coating than the temporary protective coating described in Conte et al. This coating provides sufficient protection to the underlying functional layers and to the lens substrate during the edging operation.

I conclude that the skilled artisan had no reason to protect and would not protect a lens such as the lens of reference Conte et al. with the electrostatic film disclosed in reference Lipman.

I declare that all statements made in this declaration of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

May 21st, 2010

Dominique Conte

